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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE  
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10                   PHILADELPHIA INDEMNITY  
11                   INSURANCE COMPANY,

12                   Plaintiff,

13                   v.

14                   MATTHEW C. ROWLEN,

15                   Defendant.

16                   C16-1912 TSZ

17                   MINUTE ORDER

18                   The following Minute Order is made by direction of the Court, the Honorable  
19                   Thomas S. Zilly, United States District Judge:

20                   (1) Plaintiff's unopposed motion for attorney's fees, docket no. 18 is  
21                   GRANTED. Under Washington law, the prevailing party in a contract dispute "shall be"  
22                   entitled to reasonable attorney's fees and costs, if the contract in dispute specifically  
23                   provides for the award of fees and costs. *See RCW 4.84.330; see also Merrell v. Renier*,  
24                   2007 WL 1058726, at \*2 (W.D. Wash. Apr. 5, 2007). The term "prevailing party" refers  
25                   to the party in whose favor final judgment is rendered. RCW 4.84.330. Here, Section 3  
26                   of the Commercial General Indemnity Agreement at issue in this lawsuit, Decl. of Wendy  
27                   Clime, Ex. 2, docket no. 16-2 at 2, specifically requires defendant to indemnify and hold  
28                   plaintiff harmless for attorney's fees and costs incurred in enforcing the agreement and  
29                   plaintiff is the prevailing party in this lawsuit in light of the judgment entered in its favor,  
30                   docket no. 17. The Court finds that the time expended and the amounts charged are  
31                   reasonable and therefore recoverable. Accordingly, it is hereby ORDERED that  
32                   attorney's fees in the amount of \$3,936.50 shall be awarded to plaintiff.

(2) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 19th day of May, 2017.

William M. McCool  
Clerk

s/Karen Dews  
Deputy Clerk